

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
S/S Baltimore National Pike, 330' E of St. Agnes Lane (Catonsville Plaza) * ZONING COMMISSIONER
1st Election District * OF BALTIMORE COUNTY
1st Councilmanic District * Case No. 89-385-A
Catonsville Plaza Ltd. Part.
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit 1,155 parking spaces in lieu of the required 1,404 spaces in accordance with Petitioner's Exhibit 1.

The Petitioners, by Hugh D. Robinson with Tri-Lane Properties, General Partner, appeared, testified, and were represented by Robert W. Cannon, Esquire and Steven C. Hilsee, Esquire. Also appearing on behalf of the Petition were Adam Wasserman, Revitalization Coordinator for Baltimore County, and D. S. Thaler of D. S. Thaler and Associates, Inc. There were no Protestants.

Testimony indicated that the subject property consists of 15.3 acres more or less, zoned RM-CCC, and is improved with a shopping center known as Catonsville Plaza. Petitioners propose remodeling the existing facility, which is approximately 25 years old, to create more space and give the shopping center a more modern appearance. Proposed improvements include two additions to the existing structure and the construction of a separate building to be used by a video sales and leasing operation. Testimony indicated that the proposed improvements, which have necessitated the requested variance, are needed for the subject property to become a more viable retail establishment. Testimony further indicated that to deny the requested variance would result in hardship and practical difficulty upon the Petitioners who believe the proposed improvements will bring more business to the area and breath new life into the existing shopping center.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of March, 1989 that the Petition for Zoning Variance to permit 1,155 parking spaces in lieu of the required 1,404 spaces in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) In accordance with the landscape requirements of the Office of Planning as set forth in their comments

dated March 20, 1989, and prior to the issuance of any building permits, Petitioners shall submit to the Baltimore County Landscape Planner for review and approval a landscaping plan emphasizing the Route 40 streetscape interior of the parking lot and buffering along Old Frederick Road. Planting areas shall be established within the parking area and any planting within existing rights-of-way shall be maintained by Petitioners. A copy of the approved landscaping plan shall be submitted to the Zoning Commissioner's Office for inclusion in the case file.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

March 29, 1989



Dennis F. Rasmussen
County Executive

Robert W. Cannon, Esquire
Steven C. Hilsee, Esquire
100 S. Charles Street, 14th Floor
Baltimore, Maryland 21201

RE: PETITION FOR ZONING VARIANCE
S/S Baltimore National Pike, 330' E of the c/l of St. Agnes Lane
(Catonsville Plaza)
1st Election District - 1st Councilmanic District
Catonsville Plaza Limited Partnership - Petitioners
Case No. 89-296-A

Dear Messrs. Cannon & Hilsee:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: Mr. Adam Wasserman, Revitalization Coordinator
Baltimore County Economic Development Commission

People's Counsel

File

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st
Posted for: 9 months
Petitioner: Catonsville Plaza Limited Partnership
Location of property: S.S. of Baltimore National Pike, 330' E of the c/l of St. Agnes Lane (Catonsville Plaza)
Location of Signs: South side of Baltimore National Pike
Remarks: part of subject property
Posted by: J. Robert Haines
Number of Signs: 1
Date of Posting: 2-28-89
Date of return: 3-3-89

ORDER RECEIVED FOR FILING

Date: 3/29/89
By: J. Robert Haines

ORDER RECEIVED FOR FILING

Date: 3/29/89
By: J. Robert Haines

Baltimore County
Economic Development Commission
Courthouse Mezzanine
Towson, Maryland 21204
(301) 887-8000
Fax: (301) 887-3017
Raymond Carignan
Director

RECEIVED
FEB 24 1989

ZONING OFFICE

February 15, 1989



County Executive
Dennis F. Rasmussen

Mr. J. Robert Haines, Zoning Commissioner
Baltimore County Office of Planning and Zoning
Courts Building, 401 Washington Avenue
Towson, Maryland 21204

Re: Variance Requests: Item Numbers 290 and 291

Dear Mr. Haines:

The Economic Development Commission wishes to express our support of the above referenced variance requests. The requests, for reduction in required parking and increase in signage allotments, have come to our attention because of Catonsville Plaza Shopping Center's highly visible position in the area along Route 40 targeted for revitalization efforts.

This area is at a critical juncture as we begin to focus our revitalization efforts in the Catonsville community. Catonsville Plaza Limited Partnership's investment in substantial renovations is giving the center a new look and attracting attention to its businesses.

The property owner is requesting a variance of eighteen (18%) percent (249 parking spaces) in order to expand the retail space to utilize the full leasable area. The renovation plans include two additions, to expand the retail space and obtain maximum exposure for the center.

The need for a distinct variance relates to the unusual layout of the center in two distinct groupings of stores. One sign does not adequately identify the opportunities of both retail areas. Two signs, of significant size, would facilitate entry into the appropriate area and provide equal exposure to both clusters.

We are making every effort to encourage strong groupings of stores and to support property owners as they make improvements that contribute to the vitality of merchants in this area.

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-385-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 402.6.2 (Commercial and Service Uses - Shopping Center, 100,000 square feet or more of gross leasable area) to permit 1,155 parking spaces in lieu of the required 1,404 spaces (a variance of 18% or 249 parking spaces) in

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
Petitioner is proposing to construct two additions to the existing shopping center and desires to establish the right to use all available leasable area. Strict compliance with the BCZR would result in practical difficulty and unreasonable hardship because the parking requirements would effectively preclude use of a portion of the Petitioner's shopping center. The requested variance is in harmony with the spirit and intent of the zoning regulations and would not result in substantial injury to public health, safety, and general welfare.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Catonsville Plaza Limited Partnership
(Type or Print Name)
Signature: Robert W. Cannon
Address: 100 South Charles Street, 14th floor, Baltimore, Maryland 21201
City and State: Baltimore, Maryland 21201
Attorney's Telephone No.: (301) 332-8816

Legal Owner(s): Catonsville Plaza Limited Partnership
(Type or Print Name)
Signature: Robert W. Cannon
Address: 100 South Charles Street, 14th floor, Baltimore, Maryland 21201
City and State: Baltimore, Maryland 21201
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Robert W. Cannon, 100 South Charles Street, 14th floor, Baltimore, Maryland 21201, (301) 332-8816

MAP SW/E
28
1st
DATE 3/29/89
200
1000
1000

January 17, 1989
DESCRIPTION OF PROPERTY
CATONSVILLE PLAZA

Beginning on the south right-of-way line of Baltimore National Pike (U.S. Route 40) at a point approximately 330 feet east of the centerline of St. Agnes Lane, and binding on said line along an arc bending to the right with a radius of 14248.95 feet a distance of 1098.90 feet, then proceeding South 36 40'20" East 305.18 feet; thence, binding on the north right-of-way line of Old Frederick Road the following courses and distances: South 60 55'40" West 179.22 feet; thence, along the arc of a radius of 940.00 feet bending to the left, 190.90 feet; thence South 49 17'30" West 333.09 feet; thence, along the arc of a radius of 470.00 feet bending to the right 400.26 feet; thence, North 81 54'50" East 246.80 feet; thence, along the arc of a radius of 700.00 feet bending to the left 106.70 feet; thence, South 89 20'10" West 52.69 feet; thence, North 08 08'40" East 543.66 feet to the place of beginning. Containing 12.296 acres, more or less, of land.

290

291

ORDER RECEIVED FOR FILING

Date: 3/29/89
By: J. Robert Haines

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of March, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of March, 1989, at 9 o'clock.

Mr. J. Robert Haines
Zoning Commissioner
Baltimore County Office
of Planning and Zoning
Towson, Maryland 21204

SAINT AGNES RECTORY
8432 OLD PAIR TRICK ROAD
BALTIMORE, MD. 21228
1-801-746-8900-01

RECEIVED
MAR 15 1989

ZONING OFFICE
RE: Catonsville Plaza Shopping Center
Variance Requests
Items #290 and #291

Dear Mr. Haines:

St. Agnes Church is located immediately west and adjacent to Catonsville Plaza Shopping Center. The St. Agnes Church Parish is extremely pleased with the efforts and accomplishments of the new owners in attracting new, viable retail stores into Catonsville Plaza. The Property had been vacant and neglected for many years, and not until the new owners became involved with the property did anything positive occur at this site.

We understand that the new owners have petitioned the Baltimore County Office of Planning and Zoning for a variance to the required number of parking stalls thereby allowing them to develop the site to its full potential, and to provide for pylon sign identification in excess of that allowable under current ordinances. I have reviewed the specifics of the owners' request with Mr. Richard Dube of Tri-Land Properties, Inc., the shopping center's management company, and I strongly support their efforts. Accordingly, please accept this letter as our Parish's request that the owners of Catonsville Plaza be granted the variances they seek. Thank you.

Very truly yours,

Monsignor F.W. Fortenbaugh, Pastor
St. Agnes Church

March 14, 1989

COUNTY COUNCIL OF BALTIMORE COUNTY
COURT HOUSE, TOWSON, MARYLAND 21204

RONALD B. HICKERNELL
COUNCILMAN, FIRST DISTRICT

COUNCIL OFFICE: 887-3388
CATONSVILLE DISTRICT OFFICE: 887-0858
754 FREDERICK ROAD
CATONSVILLE, MD 21228

February 6, 1989

Mr. J. Robert Haines
Zoning Commissioner
Courts Building
401 Rosley Avenue
Towson, Maryland 21204

Dear Mr. Haines:

We are writing you at this time to express our support for the petitioned zoning variances of Tri-Land Properties, Inc. for Catonsville Plaza Shopping Center.

It is our view as community associations that the granting of these variances would in no way be detrimental to the community at large, and would, in effect, be a benefit to all of us.

Thank you for your consideration in this matter.

RH:cae

Sincerely,
Bruce M. Sperry, President
Thomas P. Cato, Vice-President
Edmondson Heights Civic Association
Ronald B. Hickernell
Baltimore County Councilman

2/23/89

Office of
PATUXENT
Publishing Company

10750 Little Patuxent Pkwy.
Columbia, MD 21044

19

IS TO CERTIFY, that the annexed advertisement of

was inserted in the following: X THE JEFFERSONIAN
Catonsville Times
Arbutus Times
Reporter Weekly
Booster Weekly
Owings Mills Flier
Towson Flier

daily newspapers published in Baltimore County, Maryland
once a week for successive weeks before
day of March 19, 1989, that is to
the same was inserted in the issues of

PATUXENT PUBLISHING COMPANY

By S. Lake Orlov

PO 10434

NY M 27058

price \$ 86.36

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

Defendant

CERTIFICATE OF PUBLICATION OF

WEINBERG AND GREEN

ATTORNEYS AT LAW

100 SOUTH CHARLES STREET

BALTIMORE, MARYLAND 21201-2773

10480 LITTLE PATUXENT PARKWAY
SUITE 950
COLUMBIA, MARYLAND 21044-3508

(301) 740-8800

WRITER'S DIRECT DIAL NUMBER

(301) 332-8787

(301) 332-8800

WASHINGTON AREA 470-7400

TELEPHONES

(301) 332-8848
(301) 332-8863

1818 WEST PATRICK STREET

FREDERICK, MARYLAND 21701-5513

(301) 888-9500

ROCKVILLE (301) 631-4203

FILE NUMBER

31070.1

February 15, 1989

BY HAND DELIVERY

Mr. John Sullivan
Zoning Technician
Baltimore County Zoning Office
County Office Building, Room 113
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Catonsville Plaza Shopping Center
Item Nos.: 290 (Signage) and 291 (Parking)
Petitioner: Catonsville Plaza Limited Partnership

Dear Mr. Sullivan:

This will confirm our telephone conversations during the past few days concerning the status of the captioned Petitions for Zoning Variance.

The Zoning Commissioner's February 2, 1989 letter suggested that certain additional documentation had not yet been submitted and that a hearing date could not be established until the additional information was received. As we discussed, by January 19, 1989 letter our office caused all necessary additional documentation to be hand delivered to the Zoning Office (addressed to Mr. John Sullivan), thereby completing the Petition filing process (a copy of my January 19, 1989 letter is enclosed).

Our hand delivery service has confirmed that Alfred Titus signed for and accepted the hand delivery package on January 19, 1989 at 11:45 a.m. Earlier today you confirmed that Item No. 290 (Petition for sign variance) has been released for processing and comment by the appropriate departments. Further, you identified several documents (the original Petition for sign variance as signed by Robert W. Cannon and the superseded Petition containing your notes from our January 12, 1989 meeting). As a result, I

WEINBERG AND GREEN

Mr. John Sullivan
February 15, 1989
Page 2

believe we have determined that your office has in fact received the January 19, 1989 package, however, apparently my January 19, 1989 transmittal letter was misplaced during processing.

I believe the information contained in this letter resolves any concerns the Zoning Office may have with regard to completion of the Petition filing process. Accordingly, we are again requesting that an expedited hearing date be established pursuant to the Zoning Commissioner's February 2, 1989 letter.

Please call me immediately if you require any additional copies of the Petition documents or if you believe it will be necessary to file any duplicate original documents. Thank you again for your responsiveness and assistance in this matter.

Very truly yours,
Steven C. Hilsee
Steven C. Hilsee

265/csg

Enclosures

cc: Mr. Hugh D. Robinson
Mr. Richard P. Dube
The Hon. Ronald B. Hickernell
The Hon. J. Robert Haines, Zoning Commissioner
Robert W. Cannon, Esquire

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Robert W. Cannon, Esq.
Weinberg and Green
100 South Charles Street
14th Floor
Baltimore, Maryland 21201

Re: Petition for Zoning Variance
Case Number: 89-395-A (Parking Variance)
Catonsville Plaza Limited Partnership

Dear Mr. Cannon:

Please be advised that \$101.36 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THE FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED
ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring to the County Office minutes before the hearing.

RECEIVED
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 2/21/89 ACCOUNT E-01-615-000
AMOUNT \$ 101.36
RECEIVED FROM TRI-LAND PROPERTIES, INC.
FOR OFFICE OF PLANNING AND ZONING (89-385-A)
B 8015*****1012014 0214F
VALIDATION OR SIGNATURE OF CASHIER
DATE 2/21/89 PREPARED BY VALUE OFFICER

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

February 22, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-395-A
SS Baltimore National Pike, 330' E c/1 St. Agnes Lane
(Catonsville Plaza)
1st Election District - 1st Councilmanic
Petitioner(s): Catonsville Plaza Limited Partnership
HEARING SCHEDULED: TUESDAY, MARCH 21, 1989 at 9:00 a.m.

Variance from Section to permit (i) 2 identification signs to be located on the same street; (ii) each of the 2 double-face identification signs to contain 1184 square feet in lieu of the permitted 300 square feet; and (iii) each of the 2 identification signs to be located on the subject property where the land on the opposite side of the thoroughfare is not zoned commercial; and a Variance from Section 409.6.2 (Commercial and Service Uses - Shopping Center 100,000 square feet or more of gross leasable area) to permit 1,155 parking spaces in lieu of the required 1,404 spaces (a variance of 185 - 249 parking spaces).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
Zoning Commissioner of
Baltimore County

cc: Robert W. Cannon, Esq.
Catonsville Plaza Limited Partnership

BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence

TO: The Hon. Ronald B. Hickernell
Councilman, 1st District

FROM: J. Robert Haines
Zoning Commissioner

SUBJECT: Catonsville Plaza Shopping Center
Item Nos. 290 and 291

In response to your letter dated January 25, 1989 the following comments are offered.

While the Petitioners filed their Petition forms approximately two weeks ago, additional documentation remains to be submitted before filing is complete and a hearing can be scheduled. We have advised Petitioners' counsel that we will be happy to honor their request for an early hearing as soon as the required information has been forwarded to this office. Attached for your information is a copy of our letter dated February 2, 1989 to Robert W. Cannon, Esquire.

If you have any further questions on the subject, please do not hesitate to contact me.

JRH:bjs

cc: File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

February 2, 1989

Robert W. Cannon, Esquire
Weinberg and Green
100 S. Charles Street
Baltimore, Maryland 21201-2773

RE: PETITION FOR ZONING VARIANCE
Catonsville Plaza Shopping Center
Item Nos. 290 and 291

Dear Mr. Cannon:

In response to your letter dated January 24, 1989 on the above-captioned matter, the following comments are offered.

While the Petition application forms were filed approximately two weeks ago, additional documentation remains to be submitted to this office before filing is complete and a hearing can be scheduled. Upon receipt of the required information, every effort will be made to schedule a hearing on this matter as quickly as possible. If you have any questions concerning your application, it is suggested you contact John Sullivan at 887-3391.

Thank you for your cooperation in this matter and if you have any further questions, please do not hesitate to call this office.

Very truly yours,

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: The Hon. Ronald B. Hickernell
John Sullivan
Files

COUNTY COUNCIL OF BALTIMORE COUNTY
COURT HOUSE, TOWSON, MARYLAND 21204

RONALD B. HICKERNELL
COUNCILMAN, FIRST DISTRICT

COUNCIL OFFICE: 887-3388
CATONSVILLE DISTRICT OFFICE: 887-0888
754 FREDERICK ROAD
CATONSVILLE, MD 21228

January 25, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Building
401 Rosley Avenue
Towson, Maryland 21204

Dear Mr. Haines:

I am writing to you regarding a required hearing for signage and parking variances for Catonsville Plaza, located in the area between Old Frederick Road and Baltimore National Pike.

Mr. Cannon, an attorney representing the developer, Tri-Land Properties, Inc., has requested an expedited hearing on these petitions and I support this request. I would be most appreciative if you could schedule this hearing at the earliest possible date.

Thank you for considering this request.

Sincerely,

Ronald B. Hickernell
Councilman, First District

RBH:cae

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

February 2, 1989

Robert W. Cannon, Esquire
Weinberg and Green
100 S. Charles Street
Baltimore, Maryland 21201-2773

RE: PETITION FOR ZONING VARIANCE
Catonsville Plaza Shopping Center
Item Nos. 290 and 291

Dear Mr. Cannon:

In response to your letter dated January 24, 1989 on the above-captioned matter, the following comments are offered.

While the Petition application forms were filed approximately two weeks ago, additional documentation remains to be submitted to this office before filing is complete and a hearing can be scheduled. Upon receipt of the required information, every effort will be made to schedule a hearing on this matter as quickly as possible. If you have any questions concerning your application, it is suggested you contact John Sullivan at 887-3391.

Thank you for your cooperation in this matter and if you have any further questions, please do not hesitate to call this office.

Very truly yours,

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: The Hon. Ronald B. Hickernell
John Sullivan
Files

WEINBERG AND GREEN
RECEIVED 2/14/89

WEINBERG AND GREEN
ATTORNEYS AT LAW
100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-2773

January 24, 1989

BALTIMORE: (301) 332-8800
WASHINGTON AREA: 470-7400

TELECOPIERS
(301) 332-8885
(301) 332-8886

WRITER'S DIRECT DIAL NUMBER
(301) 332-8816

BY HAND DELIVERY

Hon. J. Robert Haines
Zoning Commissioner for Baltimore County
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Catonsville Plaza Shopping Center
Petitions for Signage and Parking Variances
Item Nos. 290 (Signage) and 291 (Parking)
Petitioner: Catonsville Plaza Limited Partnership

Dear Commissioner Haines:

We represent Catonsville Plaza Limited Partnership in connection with the captioned Petitions for Signage and Parking Variances. I am writing you in order to outline certain additional information with regard to these Petitions and to request that an expedited hearing date be established.

I am enclosing a copy of a January 17, 1989 letter from Mr. Richard F. Dube to the Hon. Ronald B. Hickernell, Councilman for the First Election District where Catonsville Plaza Shopping Center is located. Mr. Dube's letter refers to a January 12, 1989 meeting with Councilman Hickernell during which Mr. Dube, on behalf of the Petitioner, reviewed the progress of substantial renovation work being performed at Catonsville Plaza Shopping Center.

The captioned Sign and Parking Variances represent a critical element in the renovation of Catonsville Plaza Shopping Center and the revitalization of the U.S. Route 40 (Baltimore National Pike) corridor where the Center is located. The Petitioner has entered into leases with tenants who will provide the surrounding communities with convenient access to a variety of goods and services. However, the leases require that Petitioner resolve any Sign and Parking Variance issues within the next few months.

WEINBERG AND GREEN

Hon. J. Robert Haines, Zoning
Commissioner
January 24, 1989
Page 2

In order to continue Petitioner's renovation and revitalization efforts, we are requesting that an expedited hearing date be established. The Petitions were filed with Mr. John Sullivan on January 12, 1989 at which time Mr. Sullivan estimated that the hearing would be in late March to early April. We would greatly appreciate any scheduling accommodations you could grant to the Petitioner.

Thank you for your consideration of this request. Please do not hesitate to call me (332-8816) or Steve Hilsee (332-8787), who is also familiar with this matter, if you have any questions or if you require any additional information.

Very truly yours,

Robert W. Cannon

265/sch

Enclosures

cc: Hon. Ronald B. Hickernell (by Hand Delivery)
Mr. John Sullivan (Item Nos. 290 and 291)
Mr. Richard F. Dube (by Federal Express)
Mr. Hugh D. Robinson (by Federal Express)
Steven C. Hilsee, Esquire

89-385-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
20th day of January, 1989.

J. Robert Haines
ZONING COMMISSIONER

Petitioner Robert W. Cannon
Petitioner's
Attorney

Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 6, 1989

Robert W. Cannon, Esquire
100 South Charles Street
14th Floor
Baltimore, MD 21201

RE: Item No. 291, Case No. 89-385-A
Petitioner: Robert W. Cannon, et al
Petition for Zoning Variance

Dear Mr. Cannon:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer/jw
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Maryland Department of Transportation
State Highway Administration
RECEIVED
MAR 6 1989
ZONING OFFICE

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attn: Mr. James Dyer

Re: Baltimore County
Catonsville Plaza Limited
Partnership
Zoning Meeting of 2-28-89
S/S Baltimore National
Pike (Route 40-W) 330'
East of St. Agnes Lane
(Item #291)

Dear Mr. Haines:

After reviewing the submittal for a variance to permit 1,155 parking spaces in lieu of the required 1,404 spaces, we have the following comment.

The plan shows a proposed median break on Baltimore National Pike. This location does not meet our minimum spacing requirements for median breaks on a divided highway and must be removed from the plan.

We are agreeable to allow the construction of a directional type entrance to allow right turns in and out at this location. Enclosed is a typical directional entrance for a divided highway.

It is requested this revision be made prior to a hearing date being set.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

Gregory J. Mills, Jr., Chief
Bureau of Engineering
Access Permits

LB:maw

cc: D.S. Thaler & Assoc., Inc. (w-enclosure)
Mr. J. Ogle

My telephone number is (301) 333-1350
Teletypewriter for impaired hearing or speech
383-7555 Baltimore Metro - 445-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St. Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Catonsville Plaza Ltd. Partnership
Zoning Petition No. 89-385-A

Date: March 20, 1989

The petitioner is requesting a variance to Sec. 409.6.2 BCZR to permit 1,155 parking spaces in lieu of the 1,404 spaces required. In reference to this request, staff provides the following information:

- The petitioner is requesting a variance amounting to 18% of the parking required for this project. This percentage amounts to a reduction of 249 parking spaces. The standards for general retail use at five spaces per 1,000 of gross leaseable area are standard throughout the United States and have been found to be reasonable. The additional development or redevelopment of the property that results in a reduction in parking or creating an additional reduction in parking simply represents an over-intensification of the site rather than a practical hardship or difficulty.
- The rearrangement of the parking area on the site and the need to upgrade the site with additional landscaping represents an effort on behalf of the petitioner to meet County goals and objectives as well as provide for the safety of shoppers.

Based upon the information provided and analysis conducted, staff recommends approval of the applicant's request subject to the following:

- A landscape plan emphasizing the Route 40 streetscape interior of the parking lot, and buffering along Old Frederick Road shall be reviewed and approved by the County Landscape Planner. Planting areas shall be established within the parking area. Any planting within existing rights-of-way shall be maintained by the petitioner.
- The petitioner shall contact the Mass Transit Administration for participation in the Transit Accessibility Program. The petitioner shall be responsible for providing any bus stops or shelters within the project.
- The parking lot layout does not meet County standards for aisle widths, turn-arounds, etc. The petitioner shall review the parking lot layout with the appropriate County agency to assure compliance with existing standards.

PK/sf

CPS-008

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: Catonsville Plaza Limited Partnership

Location: SS Baltimore National Pike

Item No.: 291 89-385-A Zoning Agenda: February 28, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along _____ approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl Joseph Kelly* 3-17-89
Planning Group
Special Inspection Division

NOTED &
APPROVED:

Carl Wm. J. Brady
Fire Prevention Bureau

/j1

MAR 20 1989

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

3/23/89
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 291. Zoning Advisory Committee Meeting of February 29, 1989

Property Owner: Catonsville Plaza Ltd. Partnership

Location: 55 Baltimore Pike, 330' E of the centerline of St. Agnes District: 1

Water Supply: metro Sewage Disposal: metro

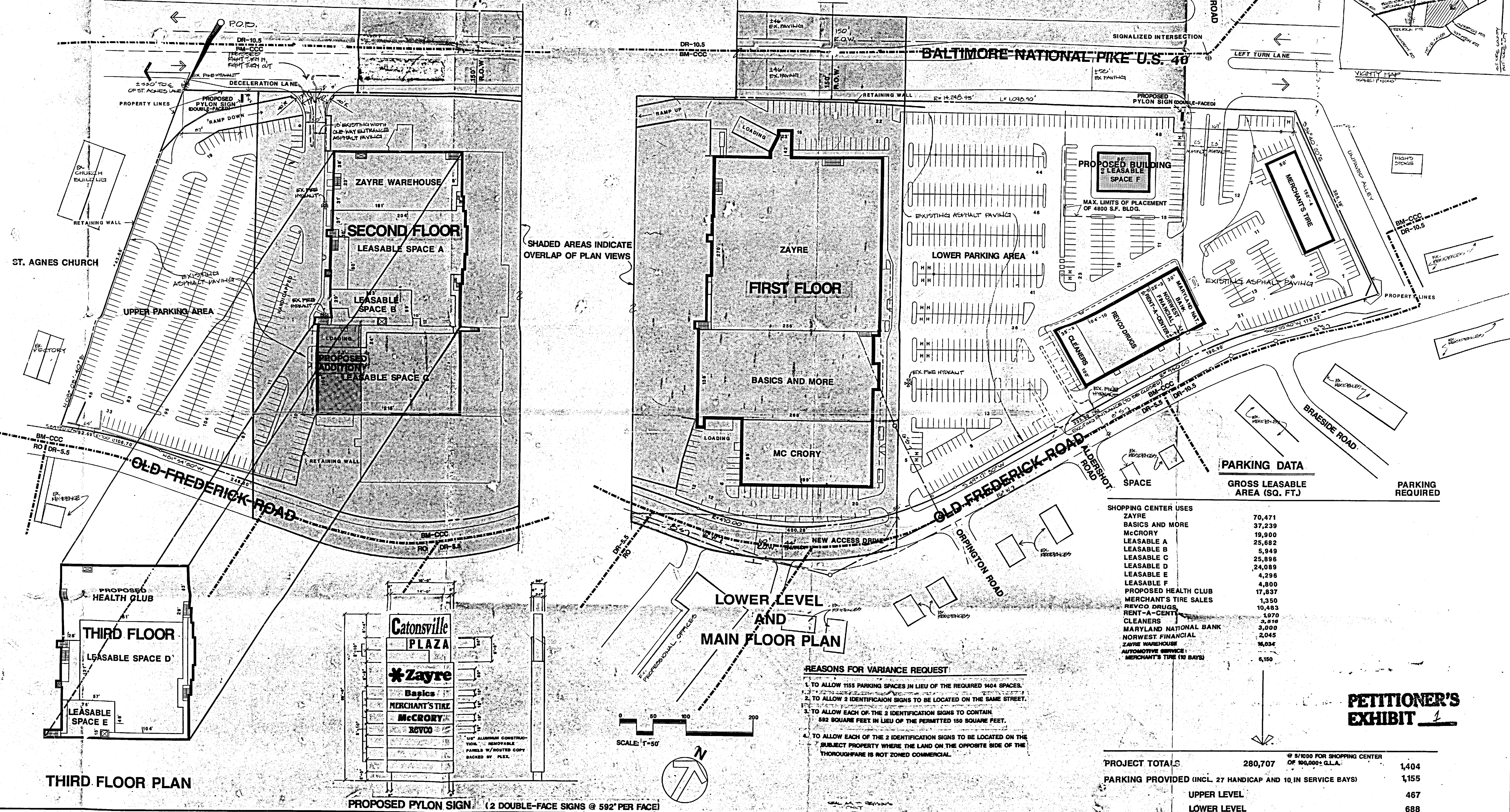
COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- (X) Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- (X) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been _____, must be _____, conducted.
() The results are valid until _____
() Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
() shall be valid until _____
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others _____

Carl Wm. J. Brady
BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

ARCHITECTS: HERBERT SCHAFFER ASSOCIATES, INC.
CHICAGO, ILLINOIS

NOTES
AREA OF SITE: 13.3 AC.
EXISTING ZONING: CM-CCC
EXISTING USE: SHOPPING CENTER
ELECTION DISTRICT: 11



SHOPPING CENTER USES	SPACE	GROSS LEASABLE AREA (SQ. FT.)	PARKING REQUIRED
ZAYRE		70,471	
BASICS AND MORE		37,239	
McCRORY		19,900	
LEASABLE A		25,682	
LEASABLE B		5,949	
LEASABLE C		25,896	
LEASABLE D		24,089	
LEASABLE E		4,296	
LEASABLE F		4,800	
PROPOSED HEALTH CLUB		17,837	
MERCHANT'S TIRE SALES		1,350	
REVOO DRUGS		10,483	
RENT-A-CENT		1,970	
CLEANERS		3,516	
MARYLAND NATIONAL BANK		3,000	
NORWEST FINANCIAL		2,045	
ZAYRE WAREHOUSE		16,034	
AUTOMOTIVE SERVICE			
MERCHANT'S TIRE (10 BAYS)		5,150	

- REASONS FOR VARIANCE REQUEST
1. TO ALLOW 1155 PARKING SPACES IN LIEU OF THE REQUIRED 1404 SPACES.
 2. TO ALLOW 2 IDENTIFICATION SIGNS TO BE LOCATED ON THE SAME STREET.
 3. TO ALLOW EACH OF THE 2 IDENTIFICATION SIGNS TO CONTAIN 592 SQUARE FEET IN LIEU OF THE PERMITTED 150 SQUARE FEET.
 4. TO ALLOW EACH OF THE 2 IDENTIFICATION SIGNS TO BE LOCATED ON THE SUBJECT PROPERTY WHERE THE LAND ON THE OPPOSITE SIDE OF THE THOROUGHFARE IS NOT ZONED COMMERCIAL.

PETITIONER'S
EXHIBIT 1

PROJECT TOTALS	280,707	@ 5/1000 FOR SHOPPING CENTER OF 100,000± G.L.A.	1,404
PARKING PROVIDED (INCL. 27 HANDICAP AND 10 IN SERVICE BAYS)			1,155
UPPER LEVEL			467
LOWER LEVEL			688